REMARKS

Claims 1-4 and 6-9, as amended, are pending herein. Claim 5 has been cancelled as the limitations thereof were previously incorporated into claim 2. The trademark of claim 5 has been deleted.

1.   Claims 3-8 were rejected as defining non-statutory subject matter under 35 U.S.C. §101. The examiner contends that the claims are directed to software. Reconsideration of this rejection is courteously requested.

Claims 3, 4, and 6-8 depend from claim 2 which was not rejected under §101. Thus, the system for claims 3, 4 and 6-8 relates to patentable subject matter. These dependent claims more particularly define certain aspects of the system and how it operates. As such, the limitations thereof comprise patentable subject matter.

2.   The rejection of claim 5 is moot as claim 5 has been cancelled.

3.   Claims 1-9 were rejected under 35 U.S.C. §102(e) as anticipated by the Winneg *et al,* U.S. Patent 7,165,269. Reconsideration of this ground for rejection is courteously requested in view of the amendments to independent claims 1, 2 and 9.

Both the Winneg invention and the claimed invention would appear to employ the same technique to securely restrict access to restricted programs on a computer. However, there are subtle differences between the two. These subtle differences from a technical viewpoint are actually quite significant and two key features in the claimed invention are not disclosed or suggested in Winneg. These two differences render the claimed invention technically superior and more flexible and functional than Winneg.

Applicant's invention is for use in a multi-user system (claims 1 and 2) or in a network (claim 9). An administrator or computer operator would find this feature useful in the very common scenario of a single computer system servicing many different users logged in through various connected terminals as it is commonplace to assign different levels of access based on the status of the user signed into the computer.

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Winneg does not disclose or suggest a multi-user environment. Fig. 8 of Winneg illustrates the steps that Winneg's software goes through when it is invoked. The third step (144) in this process is to "terminate any instances of the first application currently executing on the computer system." As described in Winneg in connection with step 144, it appears that if multiple users were logged into the same computer system, only one user would be able to use the secured application at a time. For example, if User 1 was executing the secured application at which time User 2 logged into the same computer system and chooses to execute the same application, the flowchart in Fig. 8 would be invoked and User 1's application would be terminated since it would be considered another instance of the application from User 2, thus allowing only one instance of the application running at a time.

Applicant's specification describes the invention for use in a multi-user environment and claims 1 and 2 have been amended to specify the same. Such an environment is described at page 6, line 6, page 7, lines 12-16, page 8, line 20, and page 12, line 12 through page 13, line 3 of the application. By limiting what applications a particular user has access to, processing requirements are reduced and such processes need not be monitored. Data loss due to program failure is also eliminated.

The second key difference between the claimed invention and Winneg relates to implementation of the security application. Winneg relies on the computer user to execute the security application. Fig 1 of Winneg shows the securing of the computer not occurring until a user invokes the program intended to be secured. This does not allow for the computer to be secured when the application is not currently running on the system. In the claimed invention, the security application starts as soon as the user logs into the system and provides a secure environment for the users from the moment they log into the system and until they log out of the system. This is described at page 8, line 14 and page 9, line 21 of Applicant's specification. The parent claims have been amended to specify this feature.
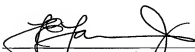
Thus, for all the foregoing reasons, there is no disclosure or teaching in Winneg of all elements of Applicant's presently claimed invention, and Winneg is therefore not a proper ground for rejection of Applicant's claims under §102. Accordingly, reconsideration and withdrawal of the rejection under §102 is respectfully requested.

Allowance of claims 1-4 and 6-9 is courteously solicited.

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Respectfully submitted,

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